Draft Finding of No Significant Impact (FONSI) for the Implementation of the Public Safety Interoperable Communications (PSIC) Grant Program

INTRODUCTION

The Department of Commerce National Telecommunications and Information Administration (NTIA) has developed a Programmatic Environmental Assessment (PEA) to evaluate the potential environmental impacts associated with the proposed Public Safety Interoperable Communications (PSIC) Grant Program. The proposed implementation of the PSIC Grant Program would involve a wide variety of projects designed to improve interoperable communications among public safety agencies. The PEA evaluated the impacts of the grant program at the national level. NTIA will require additional environmental analyses for all PSIC-funded projects that cannot be determined at this time to have no significant impact to the human or natural environment.

SCOPE OF THE PEA

The PSIC Grant Program PEA was prepared pursuant to the National Environmental Policy Act of 1969 (NEPA). NTIA has determined that implementation of the proposed PSIC Grant Program is a broad action with nationwide implications. The programmatic NEPA approach creates a comprehensive, global analytical framework that supports subsequent site-specific environmental analyses that may be required to determine the nature and extent of impacts resulting from individual actions at site-specific locations in the overall program, once they are identified. It also allows NTIA to identify those project types that are not expected to have any impact to the environment and to distinguish them from those that may require further analysis.

This PEA examined the five project types that compose public communication systems and are eligible for funding under the PSIC Grant Program:

1. **Transmission and Receiving Sites.** These projects involve upgrading existing transmission and receiving sites and constructing new sites to address all voice, data, video, and interoperability requirements. Projects may include the upgrade or new construction and installation of communications towers, equipment shelters, generators and backup power systems, repeaters, gateways, voice over internet protocol (VoIP), microwave backhauls, fiber optic cable, antennae, and access roads to sites. This may also include equipment and activities that are associated with channel assignments and shared and mutual aid channels. Coordinating antennae interference reviews is also part of this activity. The average site is approximately 0.5 acres. Sites using guyed antennae would require additional land.

   New or retrofitted transmitting and receiving sites would be constructed or retrofitted to do the following:
   - Update equipment to new frequencies that would improve and expand voice coverage
   - Add data and video capabilities
   - Facilitate interoperable communications among first responder organizations.

2. **Operations and Response Centers.** These projects involve constructing, remodeling, or retrofitting existing fixed-structure dispatch centers and first-responder facilities to take advantage of new communications infrastructure to increase responder capacity. Centers potentially would be incorporated in an existing building with interior space for radio, telephone, Internet communications equipment, dispatch computer consoles, gateways, transmitting and receiving equipment, backup power generators, and fuel storage. The centers would be served by utility lines. Antennae may be mounted on a communications tower, pole, or building, if incoming and outgoing information is transmitted by radio,

satellite, or microwave rather than via landlines. Centers can vary substantially in average size based on a number of factors, including co-location of functions (i.e., multiple emergency operations functions housed in a single facility versus a single agency) and planned capacity of the center. Most sites would be expected to be approximately 1 acre in size, with some as large as 5 acres.

Most projects for operations and response centers are expected to be upgrades (renovations and retrofits) or expansions to current centers in existing buildings, with very little construction of completely new facilities, to do the following:

- Utilize new frequencies and sources
- Increase the volume of calls that can be handled
- Expand the range of emergency responders connected through the system.

3. **Mobile Infrastructure.** These projects involve acquiring, storing, and deploying nonfixed infrastructure equipment and incident command equipment, including mobile command vehicles and trailers, cell-on-wheels (COW), cell-on-light-truck (COLT), and site-on-wheels (SOW) equipment, portable towers and antennae, mobile gateways, mobile data terminals, and very small aperture terminals (VSAT).
4. **Mobile and Portable Equipment.** These projects involve acquiring, storing, and deploying subscriber units and similar equipment, including mobile and handheld radios and satellite phones, radio caches, and battery packs.
5. **Planning, Training, and Exercises.** These projects involve conducting single- and multi-event activities, including both classroom- and field-based training and exercises, to prepare first responders and support personnel to use interoperability communications equipment in a coordinated and efficient manner.

ALTERNATIVES CONSIDERED

Preferred Alternative. The Preferred Alternative would implement all PSIC-funded projects simultaneously at sites that would eliminate gaps in coverage. This alternative expedites widespread improvements to public safety interoperability communications in the shortest period, improving readiness and response capacity. This alternative enables the PSIC Grant Program to meet its September 30, 2010, deadline (Public Law [P.L.] 109–71 §3006 (a)(2)) to expend all grant funds.

Alternative 2. Alternative 2 would involve restricting the scope of the PSIC Grant Program to funding those projects with a reduced environmental impact when compared with the Preferred Alternative. Only projects occurring at existing or previously disturbed sites would receive funding. Projects planned for previously undisturbed sites, sometimes referred to as "greenfield" sites,[1] would not be funded, nor would projects that substantially increase the environmental footprint of a site. This selective implementation of projects would enable upgrades to the interoperable communications system on a widespread basis, with minimal environmental impacts. The environmental impact analysis of most projects funded under Alternative 2 would be streamlined by using existing data and previous analyses conducted for the earlier projects at these sites. Use of only existing and disturbed sites with existing environmental data and use of faster regulatory reviews should ensure that all projects in this

[1] The U.S. Green Building Council's (USGBC) Leadership in the Energy and Environmental Design (LEED) program defines greenfields as sites "that are not previously developed or graded and remain in a natural state. Previously developed sites are those that previously contained buildings, roadways, parking lots, or were graded or altered by direct human activities" (USGBC, 2006).

alternative meet the PSIC Grant Program's September 30, 2010, deadline (P.L. 109–71 §3006 (a)(2)) to expend all grant funds.

No Action Alternative. Under the No Action Alternative, funding for interoperable communications and information systems infrastructure would not be released, and infrastructure would neither be developed nor enhanced. Ongoing maintenance activities would continue using current funding sources; however, no new activities would be funded with PSIC Grant Program funds. It is assumed that projects proposed for PSIC Grant Program funding would not occur. The No Action Alternative serves as the baseline for assessing the impacts of the other alternatives. The No Action Alternative does not address the need of the PSIC Grant Program as required by the Digital Television Transition and Public Safety Act of 2005, nor would this alternative meet the PSIC Grant Program's September 30, 2010, deadline (P.L. 109–71 §3006 (a)(2)) to expend all grant funds.

RECOMMENDED ALTERNATIVE

The Preferred Alternative is recommended for implementation to best meet the purpose and the need of the PSIC Grant Program and to improve interoperability and reliability in the nation's communications and information systems by assisting public safety agencies in establishing a baseline level of interoperable communications among the nation's States, Territories, and the District of Columbia. The Preferred Alternative would allow for greater programmatic efficiency and effectiveness than Alternative 2, by allowing communications infrastructure to be sited for optimal performance and signal integrity. Under Alternative 2, sites that may have been originally proposed to create signal connectivity may be ineligible, because they would be located on previously undisturbed sites. A requirement to use alternative sites may compromise the effectiveness of interoperable infrastructure upgrades.

CONSULTATIONS

Coordination on programwide fish and wildlife issues to meet the requirements Section 7 of the Endangered Species Act (ESA) will be accomplished by informal consultation with the U.S. Fish and Wildlife Service (FWS). Continued coordination with FWS may be needed to address ESA issues at PSIC project sites, depending on the outcome of project-level NEPA compliance reviews. For PSIC-funded projects determined to present no impact, no additional consultation with FWS would be required. For projects that require further study to evaluate impacts, FWS consultation may include preparation of a site-specific Biological Assessment, and the associated FWS Biological Opinion, which may include site-specific terms and conditions (e.g., mitigation measures and additional analysis).

Coordination on programwide historic and cultural resources issues will be conducted informally with the Advisory Council on Historic Preservation (ACHP). As specific projects are identified, it would be determined if a project has the potential to impact historic properties. If that potential is determined to exist (i.e., if the project is an undertaking as defined under the National Historic Preservation Act), then all Section 106 consultation and coordination activities required by 36 Code of Federal Regulations (CFR) 800 would be implemented. This would include consultation with the State Historic Preservation Office on resource significance and treatment of adverse impacts. Consultations and impact mitigation actions would be documented in a memorandum of agreement signed by consulting parties.

FINDINGS AND CONCLUSIONS

Analysis of the five groups of project types indicated that transmitting and receiving sites, operations and response centers, and the exercises portion of planning, training, and exercises would be likely to involve ground-disturbing activities with resultant potential for environmental

impacts at the site level. This PEA determined that the following would require preparation of site-specific environmental assessments:

- Transmitting and receiving site projects involving new communications structures 200 or more feet above the ground, structures supported by guy wires, and ground disturbance of 1 acre or more
- Upgrades and retrofits of existing operations and response centers and construction of new centers involving 1 acre or more of ground disturbing activity
- Exercises to be conducted at previously undisturbed sites that would involve ground disturbance of 1 acre or more.

In addition, projects involving any of the unusual risks or impacts to sensitive areas as described in the PEA would require supplemental environmental analyses (i.e., an Environmental Assessment or Environmental Impact Statement). The NTIA would require that site-specific investigations take place to determine the nature and extent of impacts.

With the exception of the project types noted above, the remaining project types for the Preferred Alternative would not result in significant impacts. Alternative 2 and the No Action Alternative would result in adverse impacts to human health and safety, or the environment. Therefore, the Preferred Alternative would warrant the issuance of a Finding of No Significant Impact (FONSI) to cover those actions for which no significant impact has been determined.

Projects for the acquisition of mobile infrastructure, mobile and portable equipment, and planning and training are not likely to require any ground disturbing activity; thus, these project types would not result in any environmental impacts. Significant impacts would not result from upgrading and retrofitting of existing transmitting and receiving sites or from operation and response centers that do not require 1 acre or more of ground disturbance.

This FONSI has therefore been prepared and is being submitted to document environmental review and evaluation in compliance with the NEPA of 1969.

PUBLIC COMMENT

The PEA is available for public comment at www.regulations.gov from February 19, 2009, through March 23, 2009, with detailed instructions for making comments. Alternatively, signed and written comments may be submitted to Ms. Laura Pettus, PSIC Grant Program, National Telecommunications and Information Administration, Room 4812, 1401 Constitution Avenue, NW, Washington, DC, 20230.